

Excerpts
Planning Commission Minutes
January 8, 2003

Application No. UP-610-02 (amended), Kenneth Dale Moore: Request for a Special Use Permit, pursuant to Section 24.1-306 (Category 14, No. 6) of the York County Zoning Ordinance, to authorize the establishment of a mini-storage warehouse facility on a 2.6-acre portion of a 6.3-acre parcel of land located on Hampton Highway (Route 134) approximately 900 feet east of the intersection of Hampton Highway and Big Bethel Road (Route 600). The property, further identified as Assessor's Parcel No. 37-158, is zoned GB (General Business), and the Comprehensive Plan designates this area for General Business and Medium-Density Residential development. The Planning Commission originally considered this application at its October 9, 2002 meeting and voted 6:0 to recommend denial. The applicant has since modified the original application, and the Board of Supervisors has referred it back to the Commission for consideration.

Mr. Tim Cross, Principal Planner, presented a summary of the staff memorandum. He described the modifications to the previous application, the most significant of which is a single entrance on Route 134 to serve the entire parcel. All of the revisions would be to the eastern side of the property, he pointed out during a comparison of the original plan and the revised plan. Mr. Cross noted that the revised application still fails to meet the goals of the Comprehensive Plan, which is very specific for this location to accommodate a commercial node with uses typically found in small shopping and office centers. Mr. Cross said the staff does not believe the revisions have adequately addressed staff concerns, and recommended denial.

Chair Hendricks opened the public hearing.

Mr. Lamont Myers, 108 Pheasant Watch, introduced himself as agent for the property owner and the applicant's representative for this application. Mr. Myers said the staff report is more favorable for approval than the report for the application presented to the Commission last October. He said staff's recommendation of denial is based on erroneous assumptions. In Mr. Myers' opinion, the application is consistent with the Comprehensive Plan.

Mr. Myers read from a letter he received from a commercial developer stating that the parcel does not have enough depth for a shopping center with a grocery store. Mr. Myers distributed comparative tax assessment data to the members [attached to minutes of record]. He maintained that, although retail business may generate more taxes, the negative impacts would include heavier traffic, noise, lighting, litter and police protection. The County can control virtually every aspect of development of the proposed business, he added, in contrast to potential permitted uses over which the County would have virtually no control. He spoke of the low visual impact of the proposed storage facility. Mr. Myers said offices are not represented in the development because Route 134 is not an attractive location for them. He believed there was adequate justification to accept the revised proposal and requested a recommendation of approval.

Ms. White requested information about the change in configuration from individual storage units accessed from the outside to a walk-in storage facility.

Mr. Dale Moore, the applicant, said the decision to locate one or two large buildings on a portion of the site rather than several smaller ones was a matter of choice. He said the overall configuration is desirable and represents a reasonable mix of individual unit sizes, access to which would be from hallways. He added that all units would meet the fire code and be secured overnight.

Ms. White was concerned that a larger number of units might generate excessive traffic. **Mr. Cross** said the ITE (Institute of Transportation Engineers) Traffic Generation Manual provides trip generation figures based on both square footage and the number of units, but that because the applicant's sketch plan does not indicate how many units would be built, staff based its traffic estimates on total square footage. **Mr. Carter** added that, given the low number of trips generated by a storage facility, an increase in the number of units should have no significant traffic impact and it would still be less than if developed for retail use.

Mr. Barba asked if the access road to Belmont Apartments would provide access to the remainder of the parcel, and Mr. Myers stated that it would.

No one else came forward to speak, and the **Chair** closed the public hearing.

Mr. Hendricks recognized that the applicant has made significant changes to the application since it was first brought before the Commission, but he remained opposed to the project in that particular location. He did not believe there was a time imperative to approve that particular use of the subject parcel and preferred to wait for a use more consistent with the Comprehensive Plan.

Mr. Ptasznik believes there is a need for mini-storage in this part of the County and could support it, having considered other less desirable uses that could be made of that parcel. He said the applicant made strides in accommodating staff concerns, the design is appropriate, it is a good project for residents who live behind the property, and that the triangle of land in front of the parcel may never be developed. This business has the potential to be long-term as opposed to many others in the County that are going out of business, he added.

Mr. Ptasznik added that he was pleased that the Board of Supervisors had referred the application back to the Commission after it was revised and would like for that to occur whenever appropriate.

Mr. Heavner added that he never thought the corner property had retail appeal because it lacks the important element of visibility. A shopping center without a major anchor is extremely vulnerable to loss of tenants, he believed, and the proposed facility would satisfy a need and be successful in this location.

Ms. White said she would prefer to wait for the right type of business.

Mr. Barba complimented Mr. Moore and Mr. Myers for their presentation, but did not think a storage facility is desirable for the location because Route 134 is a main arterial route still undergoing development.

PC03-2

On motion of Ms. White, the following titled resolution was defeated by a vote of 2:3 (Yes - Heavner, Ptasznik; No - Barba, White, Hendricks).

A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE
PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A MINI-STORAGE
WAREHOUSE FACILITY ON 2.6 ACRES ALONG ROUTE 134
